

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

RUEBEN FRIESEN,

Defendant.

CR 14-10-GF-BMM

ORDER

The Defendant Rueben Friesen (Friesen) appeared before United States Magistrate Judge John Johnston on March 5, 2015. Friesen entered a plea of guilty to one count of travel with intent to engage in illicit sexual conduct in violation of 18 U.S.C. § 2423(b). Judge Johnston entered Findings and Recommendations the same day. (Doc. 43). Neither party filed objections. The Court will review Judge Johnston's Findings and Recommendations for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston made the following findings: (1) Friesen was fully competent and capable of entering an informed and voluntary plea; (2) Friesen was aware of the nature of the charge against him, and the consequences of pleading guilty to the charge; (3) Friesen understood fully his constitutional rights, and the extent to which he was waiving those constitutional rights by pleading guilty; and

(4) Friesen's plea of guilty was a knowing and voluntary plea, supported by an independent basis in fact sufficient to prove each of the essential elements of the charge. (Doc. 43 at 1-2).

Judge Johnston also found that Friesen had adequate time to review the plea agreement with counsel, and that Friesen understood each provision of the plea agreement. (Doc. 43 at 2). Judge Johnston recommended that this Court accept Friesen's plea of guilty and impose an appropriate sentence. *Id.*

This Court finds no error in Judge Johnston's Findings and Recommendations, and adopts them in full. The Court will defer acceptance of the plea agreement (Doc. 38) until sentencing, at which time the Court will have reviewed both the plea agreement and the presentence investigation report.

Accordingly, IT IS ORDERED:

1. Friesen's Motion to Change Plea (Doc. 37) is GRANTED.
2. The Court accepts Friesen's plea of guilty to travel with intent to engage in illicit sexual conduct in violation of 18 U.S.C. § 2423(b), as charged in the Indictment.

DATED this 7th day of April, 2015.



Brian Morris
United States District Court Judge